

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
 ) Case No. 1:06-CR-11  
v. )  
 ) Judge Curtis L. Collier  
CALVIN HAVNER )

**O R D E R**

Defendant via counsel orally moved for a psychiatric and/or psychological examination.

United States Magistrate Judge William B. Carter granted Defendant's motion and ordered a mental health evaluation on November 16, 2012 (Court File No. 24). The findings of the sealed forensic report show Defendant is not currently suffering from a mental disease or defect rendering him unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense, or that rendered him unable to appreciate the nature and quality or the wrongfulness of his acts. At a hearing on May 14, 2013, Defendant waived any further proceedings pertaining to his forensic report.

Based upon this information, Magistrate Judge Carter has submitted a Report and Recommendation ("R&R"), recommending this Court find Defendant competent to stand trial (Court File No. 35). Neither party filed an objection. Therefore, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's R&R (Court File No. 35), pursuant to 28 U.S.C. § 636(b)(1), and **DETERMINES** Defendant is competent to understand the nature and consequences of the proceedings against him, able to assist in his defense, and competent to stand trial.

**SO ORDERED.**

ENTER:

/s/

**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**